



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Kevin I. Bertness

Appln. No. : 10/675,933

Filed : September 30, 2003

For : QUERY BASED ELECTRONIC
BATTERY TESTER

Docket No.: C382.12-0141

Group Art Unit: 2858

Examiner:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-2450, THIS

21 DAY OF Dec, 20 04

PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 C.F.R. § 1.97. Copies of the patents or publications cited are enclosed.

TIME OF FILING

The information disclosure statement is being filed:

1. _____ with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 C.F.R. § 1.97(b), no statement or fee is required.
2. x after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or notice of allowance under 37 C.F.R. § 1.311. Therefore, in accordance with 37 C.F.R. § 1.97(c), submitted herewith is:

(check either A or B below)

- A. _____ a statement as specified in 37 C.F.R. § 1.97(e).
- B. x the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement

under 37 C.F.R. § 1.97(c).

3. _____ after the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant petitions for consideration and submits herewith:
- A. a statement as specified in 37 C.F.R. § 1.97(e);
 - B. the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

_____ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(1).

OR

_____ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(2).

METHOD OF PAYMENT

 No fee is required.

 x Attached is a check in the amount of \$ 180.00 .

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

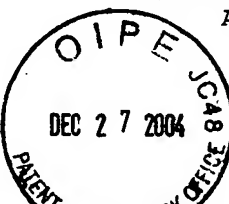
Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

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JKC:djb:bjt

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------------|
| FORM PTO-1449 | Atty. Docket No.: C382.12-0141 | Appl. No.: 10/675,933 |
|  <p>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</p> | First Named Inventor: | |
| | Kevin I. Bertness | |
| | Filing Date September 30, 2003 | Group Art: 2858 |

U.S. PATENT DOCUMENTS

| Examiner Initial | Document No. | Date | Name | Class | Sub Class | Filing Date If Appropriate |
|------------------|--------------|---------|-----------------|-------|-----------|----------------------------|
| AA | 6,777,945 | 8/2004 | Roberts et al. | 324 | 426 | |
| AB | 2003/0194672 | 10/2003 | Roberts et al. | 431 | 196 | |
| AC | 2003/0036909 | 02/2003 | Kato, Yoshinaga | 704 | 275 | |
| AD | | | | | | |
| AE | | | | | | |
| AF | | | | | | |
| AG | | | | | | |
| AH | | | | | | |
| AI | | | | | | |
| AJ | | | | | | |
| AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| | Document No. | Date | Country | Class | Sub Class | Translation Yes No |
|----|--------------|------|---------|-------|-----------|--------------------|
| AL | | | | | | |
| AM | | | | | | |
| AN | | | | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| AQ | |
| AP | |
| AQ | |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS

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| AE | 2004/0000893 | 1/1/04 | Raichle et al. | 320 | 135 | |
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| AP | 5,321,627 | 6/14/94 | Reher | 364 | 483 | |
| AQ | 5,872,453 | 2/16/99 | Shimoyama et al. | 324 | 431 | |
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| AW | 6,388,448 | 5/14/02 | Cervas | 324 | 426 | |

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| AK | D442,503 | 5/22/01 | Lundbeck et al. | D10 | 77 | |

FOREIGN PATENT DOCUMENTS

| | Document No. | Date | Country | Class | Sub Class | Translation Yes No |
|----|--------------|----------|---------|-------|-----------|--------------------|
| AL | WO 97/44652 | 11/27/97 | WIPO | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AO | "Notification of Transmittal of The International Search Report or the Declaration", PCT/US02/29461. |
| AP | Notification of Transmittal of the International Search Report along with the Search Report for International Application No. PCT/US03/27696, filed September 4, 2003, date of mailing April 15, 2004 |
| AQ | Operator's Manual for "Modular Computer Analyzer," SUN, Model MCA 3000, Table of Contents and pages 1-1 to 1-2; 2-1 to 2-19; 3-1 to 3-47; 4-1 to 4-27; 5-1 to 5-18; 6-1 to 6-16; 7-1 to 7-9; 8-1 to 8-5; 9-1 to 9-13; 10-1 to 10-10; 11-1 to 11-22; 12-1 to 12-33; 13-1 to 13-2; 14-1 to 14-13 (1991) |
| | ALLEN TEST, Testproducts Division, "Programmed Training Course for 62-000 Series Smart Engine Analyzer," 2 page cover, Table of Contents, pages 1-207 (1984) |
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